



Office of Boston Residents Jobs Policy

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BOSTON RESIDENTS JOBS POLICY HISTORY AND EMPLOYMENT STANDARDS

It is the policy of the City of Boston to comply with all laws and regulations concerning the hiring of workers in the construction process regarding federally assisted, city sponsored, and privately funded developments within the City limits.

The purpose of this document is to provide compliance information to developers and contractors so that they may more easily achieve compliance regarding the Boston Construction Employment Standards.

HISTORY

Chapter 30 of the Ordinance of 1983 established the Boston Residents Jobs Policy.

The Mayor's Executive Order of July 12, 1985, entitled The Executive Order Extending the Boston Residents Jobs Policy, requires the Developer to prepare, and submit, and the authority to approve, a construction employment plan.

The Boston Employment Commission has been established by an ordinance passed by City Council on July 30, 1986 and signed by the Mayor of the City of Boston. The Commission was created for the purpose of ensuring that findings may be determined with respect to compliance of the Boston Residents Jobs Policy in a manner that is comprehensive, consistent, and fair for all parties involved.

EMPLOYMENT STANDARDS

The Boston Residents Construction Employment Standards as set forth in the Mayor's Executive Order of July, 1985 entitled The Executive Order Extending the Boston Residents Jobs Policy, attached hereto as Exhibit A and adopted by the Boston Redevelopment Authority on July 26, 1985. Specifically, the Executive Order requires that the Developer's Construction Employment Plan shall ensure that on a craft by craft basis for construction employment for the Project, the following Boston Residents Construction Employment Standards are met:

- (1) at least fifty (50) percent of the total employee worker hours in each trade shall be by bona-fide Boston Residents.
- (2) at least twenty-five (25) percent of the total employee worker hours in each trade shall be by minorities; and
- (3) at least ten (10) percent of the total employee worker hours in each trade shall be by women.

For the purpose of this Plan, employees shall include persons filling apprenticeship and on-the-job training positions.

**EXCERPT FROM THE BOSTON RESIDENTS JOBS POLICY
BOSTON EMPLOYMENT COMMISSION ORDINANCE**

BEST FAITH EFFORTS

Developers and Contractors may rely on traditional referral methods in the hiring of journeymen, apprentices, advanced trainees and helpers. Developers and contractors also shall implement affirmative action steps which include the following to the extent that such steps do not conflict with any collective bargaining agreement:

CONTRACTOR'S BEST EFFORTS

1. The contractor shall designate and shall require each subcontractor to designate an individual to serve as a compliance officer for the purpose of pursuing the Boston Residents Construction Employment Standards.
2. Prior to the start of construction, the contractor and each subcontractor then selected shall meet with appropriate representatives of the construction trade unions, representatives from the Boston Residents Jobs Policy Office, and the awarding or contracting authority for the purpose of reviewing the Standards and the estimated employment requirements for construction activity over the construction period of the Covered Project.
3. Whenever any person involved in the construction of a Covered Project makes a request to a union hiring hall, business agent or contractor's association for qualified workers, the requestor shall ask that those qualified applicants referred for construction positions be referred in the proportions specified in the Boston Residents Construction Employment Standards and shall, further, contain a recitation of such Standards. However, if the requesting party's workforce composition at any time falls short of any one or more of the proportions specified in the Standards, the requesting party shall adjust his or her request so as to seek to more fully achieve the proportions as specified in the Standards. If the union hall, business agent or contractor's association to whom a request for qualified employees has been made fails to fully comply with such a request, the requesting party's compliance officer shall seek written confirmation that there are insufficient employees in the categories specified in the request and that such insufficiency is documented on the unemployment list maintained by the hall, agent or association. Copies of any confirmation so obtained shall be forwarded to the Commission. Copies of any requests for qualified employees made at the time that the requesting party's workforce composition falls short of any one or more of such Standards shall be forwarded contemporaneously to the Boston Residents Jobs Policy Office.

BEST EFFORTS (continued)

4. All persons applying directly to the Contractor or any subcontractor for employment in construction of a Covered Project who are not employed by the party to whom application is made shall be referred by said party to the Boston Residents Jobs Policy Office, and a written record of such a referral shall be made by said party, a copy of which shall be sent to said Compliance and Enforcement Division.
5. Contractors shall maintain a current file of the names, addresses, and telephone numbers of each Boston Resident, Minority and Woman who has sought employment with respect to a Covered Project, or who was referred to the contractor by the Boston Residents Jobs Policy Office but was not hired. The contractor shall maintain a record of the reason any such person was not hired. (Amendment inclusion 9/26/86) If the construction of a Covered Project is subject to any union collective bargaining agreements, it shall be required that the employee complies with any lawful union security clauses contained in such agreement. (Amendment inclusion 9/26/86 ends)
6. The contractor shall in a timely manner complete and submit to the Commission a projection of the workforce needs over the course of construction of the Covered Project. Such a submission shall reflect the needs by trade for each month of the construction process.
7. The contractor shall obtain from each worker employed in the construction of the Covered Project, a sworn statement containing the worker's name and place of residence.
8. One week following the commencement of construction of the project, and each week thereafter until such work is completed, the contractor shall complete and submit to the Boston Residents Jobs Policy Office for the week just ended a report which reflects (a) for each employee, the employee's name, place of residence, race, gender, trade and total number of worker hours he or she worked, and (b) the total worker hours of its total workforce.
9. The contractor and each subcontractor shall maintain records reasonably necessary to ascertain compliance with the steps detailed in clauses (1) through (8) hereof for a least one year after the issuance of a Certificate of Occupancy for the Covered Project. In its review of records of a construction project submitted to demonstrate compliance with these steps, the Commission shall take into consideration any affirmative action outreach programs and affirmative action job training programs of the particular trades participating in the Covered Project.

BEST EFFORTS (continued)

DEVELOPER'S BEST EFFORTS

1. Developers of the Covered Project shall incorporate in every general construction contract or construction management agreement an enumeration of the Standards and shall impose a responsibility upon any such general contractor or construction management to take all steps enumerated in clauses (1) through (9), and to incorporate such Standards in all subcontracts and impose upon all subcontractors the obligation to take such steps.
2. The developer shall meet with the contractor no less frequently than weekly throughout the period of construction of the Covered Project to review the contractor's compliance with such Standards and steps. The developer shall maintain minutes of such meetings and shall forward a copy of such minutes to the Boston Residents Jobs Policy Office within ten (10) days of such meeting.
3. The developer shall comply with the escrow deposits as requirements of the Boston Employment Commission.

(Revised September 11, 1996)

SAMPLE LETTER INFORMING NEW SUBCONTRACTORS OF BOSTON

RESIDENTS JOBS POLICY OBLIGATIONS

Dear :

The following procedures and guidelines must be followed by all subcontractors performing work on the above referenced project. This project is subject to the Boston Residents Jobs Policy, and will be monitored by the Boston Residents Jobs Policy Office and by this office to ensure that employment of 50% Boston residents, 25% minorities and 10% females is achieved and maintained.

1. Submit a letter to the union explaining that this project is subject to the Boston Residents Jobs Policy, which requires that employment of 50% Boston residents, 25% minorities and 10% females must be achieved on a weekly basis until completion of your contract with this company.
2. As your company gets ready to hire workers from the local union, keep in mind that all requests made by your job representative in your office must be done in writing. All requests must include:

The name of the representative making such request, name of persons s/he contacted at the union hall, date of contact and action taken by union representative.

3. A meeting is to take place with union business agents before your company starts any type of work on this project.
4. Records must be kept by your office for all walk-in applicants. Records should include the name, address, and telephone number of the applicant, the position for which the applicant applied, whether the applicant is a resident, minority or female, and action taken by your office.
5. A meeting will be called by the General Contractor and the Boston Residents Jobs Policy Office to discuss what other steps will be taken to help your office comply with these requirements.

Implementation of the above guidelines will help to make this project a success.

Sincerely,

cc: Boston Residents Jobs Policy Office

EMPLOYMENT PLAN
QUARTERLY WORK FORCE PROJECTION TABLE

PROJECT:	
CONTRACTOR:	ADDRESS:
CONTACT:	PHONE NUMBER:
QUARTER START DATE:	QUARTER END DATE:

MONTH			
TRADE:			
TOTAL EMPLOYEES			
RESIDENT EMPLOYEES			
MINORITY EMPLOYEES			
FEMALE EMPLOYEES			
TRADE:			
TOTAL EMPLOYEES			
RESIDENT EMPLOYEES			
MINORITY EMPLOYEES			
FEMALE EMPLOYEES			
TRADE:			
TOTAL EMPLOYEES			
RESIDENT EMPLOYEES			
MINORITY EMPLOYEES			
FEMALE EMPLOYEES			
TRADE:			
TOTAL EMPLOYEES			
RESIDENT EMPLOYEES			
MINORITY EMPLOYEES			
FEMALE EMPLOYEES			
TRADE:			
TOTAL EMPLOYEES			
RESIDENT EMPLOYEES			
MINORITY EMPLOYEES			
FEMALE EMPLOYEES			

COMPANY OFFICIAL'S SIGNATURE: _____ DATE: _____

WEEKLY UTILIZATION REPORT INSERTED HERE

BOSTON RESIDENT VERIFICATION FORM

This form must be submitted to verify the address of all Boston resident employees and to report the change of address for any Boston resident employee while working on this project.

Check if reporting an address change.

Date moved: _____

Project Name:

Contractor Name:

Employee Name:

Social Security No: _____ Race: _____ Sex: _____

Address: _____

City: _____

State & Zip: _____

Phone: _____

Race Codes

- A.** Asian
- B.** Black
- C.** Caucasian
- H.** Hispanic
- O.** Other (specify)
Native American
Cape Verdean

Date Arrived on Job Site: _____

Trade:

Check if Applicable: • Non-union • Union (Local) _____ • New Hire • Transfer

I hereby state under the pains and penalties of perjury that the foregoing information is true.

Signature of Employee: _____ Date: _____

PLEASE ATTACH A PHOTOCOPY OF ONE OF THE BELOW DOCUMENTS AS PROOF OF RESIDENCY.

_____ Driver's License

_____ Utility Bill

Signature of Contractor

or Subcontractor: _____ Date: _____

RACE AND ETHNIC STANDARDS

- C) CAUCASIAN: A person having origins in any of the original peoples of Europe, North Africa, or the Middle East.
- B) BLACK: A person having origins in any of the black racial groups of Africa.
- H) HISPANIC: A person of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish/Indian cultural origins. (This category is not to include people of European or Arabic ancestry.)
- A) ASIAN OR PACIFIC ISLANDERS: A person having origins in any of the original peoples of the Far East, Southeastern Asia, the Indian Subcontinent, or the Pacific Islands. This area includes China, Japan, Korea, the Philippine Islands, Samoa, India, Pakistan, Bangladesh, Sri Lanka, Nepal, Sikhism, and Shulan.
- O) NATIVE AMERICAN OR ALASKAN NATIVE: A person having origins in any of the original peoples of North America, and who maintain cultural identification through tribal affiliation or community recognition.
- O) CAPE VERDEAN: A person having origins in any of the original peoples of the Cape Verde Islands.

NOTE: Ethnic classifications are based on section one, (11) of the 1986 Ordinance establishing the Boston Residents Jobs Policy as defined by the U.S. Bureau of the Census and promulgated by the Federal Office of Management and Budget.

AREAS THAT COMPRISE THE CITY OF BOSTON

Allston	Brighton
Charlestown	Chinatown
Dorchester	East Boston
Fenway/Kenmore	Hyde Park
Jamaica Plain	Mattapan
Mission Hill/Longwood	North End
Readville	Roslindale
Roxbury	South Boston
South End	West Roxbury

BRJP OFFICE – TRADECODE DESCRIPTION

ASBESTOS WORKER	MASON TENDER
ASPHALT RAKER	METAL REFINISHER
BLASTER	MILLWRIGHT
BRICKLAYER	OILER
CARPENTER	PAINTER
CARPET LAYERS	PILEDRIVER
CEMENT FINISHER	PIPEFITTER
CEMENT LABORER	PIPELAYER
CURBSETTER/PAVER	PITCHWORKER
DRILLER	PLASTERER
ELECTRICIAN	PLUMBER
ELEVATOR CONSTR. HELPER	PUMPMAN
ELEVATOR CONSTRUCTOR	ROOFER
EQUIPMENT OPERATOR	SANDBLASTER
FIELD ENGINEER	SHEETMETAL WORKER
FLOOR LAYERS	SLATER
GLAZIER	SPLICER
GROUNDMAN	SPRINKLER FITTER
HVAC	SURVEYOR
INSTALLER/APT WIRER	TAPER
INSULATOR	TECHNICIAN
IRON WORKER	TERRAZZO WORKER
LABORER	TREE SURGEON
LATHER	UTILITY OPERATOR
LINEMAN	WATERPROOFER
MARBLE TILE WORKER	WELDER
MASON	

If the trade utilized by your company is not listed above, please contact the BRJP Construction Monitor for your project.

WORK FORCE REQUEST DOCUMENTATION

PROJECT: _____

Submit this form when requests for new employees are made.

FROM:			
DATE REQUESTED:		DATE REQUIRED:	
LOCAL #:			
REQUEST MADE TO:			
NAME:			
I. REQUEST(S) MADE TO UNION:			
TRADE:			
TOTAL	RESIDENT	MINORITY	FEMALE
TRADE:			
TOTAL	RESIDENT	MINORITY	FEMALE
REQUEST MADE BY:			
NAME:			
II. ACTUAL EMPLOYEE(S) SENT BY UNION:			
TRADE:			
TOTAL	RESIDENT	MINORITY	FEMALE
TRADE:			
TOTAL	RESIDENT	MINORITY	FEMALE

APPLICANT DISPOSITION FORM

DATE:	PROJECT NAME:	CONTRACTOR:
APPLICANT NAME:		MIN ____ RES ____ FEM ____ (Please check all that apply)
ADDRESS:		TEL. NO.:
POSITION APPLIED FOR:	• NON-UNION • UNION:(PLEASE SPECIFY)	
LIST ALL TRADES EXPERIENCED IN:		
RECRUITMENT SOURCE (PLEASE SPECIFY):		
RESULTS: ____ HIRED ____ NOT HIRED REASON: _____ ____ REFERRED TO UNION: RESULT: _____ ____ REFERRED TO SUBCONTRACTOR ____ HIRED ____ NOT HIRED REASON NOT HIRED: _____		

ALL REFERRALS REQUIRE A FOLLOW-UP PHONE CALL EITHER TO THE LOCAL UNION, THE BOSTON RESIDENTS JOBS POLICY OFFICE AND/OR SUBCONTRACTOR TO WHOM THE REFERRAL WAS MADE TO:

CONTACT PERSON: _____

FOLLOW-UP RESULTS: _____

CONTRACTOR GUIDELINES

Weekly Utilization Reports

- The Weekly Utilization Reports (weeklies) must be legible (preferably typed).
- Weeklies must be filled out completely (only federal prevailing wage contracts should fill out the last six columns) including the tally on the bottom right of the weekly.
- Each worker's trade must be clearly described using the authorized BRJP trade code list. If a trade you employ is not on the list, please call the designated BRJP construction monitor to have a new trade code assigned before submitting the weekly.
- All supervisory personnel including all non-working foremen and administrative staff must be omitted from the weekly.
- The weekly must be signed by a company official.
- You must spell out completely the name of the project, your company name and address, and the name, address, social security number, trade, sex and ethnicity of each worker on each weekly.
- All computerized payroll reports must be in the same format as BRJP'S Weekly Utilization Report.
- Weeklies which are illegible or incomplete will be returned to the general contractor. This will effect the average submission time. The date we receive the corrected weekly will be the new received date.
- The submission time for weeklies is seven days from the week end date.
- You must use the space provided on the weeklies to clearly identify the first and final report. This represents the start and stop notification to BRJP.

From the weekly, Compliance will receive notification from a contractor as follows:

- a. by indicating the start of work as Week No. "1";

- b. by indicating each following week with the next consecutive week number and;
- c. by checking off the "Final Weekly" box for the last week of work.

Boston Resident Verification Form

- The first time a Boston resident employee is reported on the weekly, a Boston Resident Verification form must be submitted with the weekly and proof of residency. Attach a copy of a Massachusetts Driver's License or a utility bill. Also, use this form to report the change of an employee's address.
- Put a check mark in the box, if reporting a change of address, and indicate date moved. Send it to the designated BRJP construction monitor.

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WEEKLY UTILIZATION REPORT

For MIS use only:

Project #:

Contractor #:

Project Name: _____

Project Location: _____

Contractor Name: _____

Contractor Address: _____

Contractor Phone: _____

Week No. _____ Week of _____ to: _____

PLEASE CHECK (

General: • Su

•

Final Wee

Award Department: _____

Projected Completion Date: _____

General

Federal

Only: _____

SSN		Employee Name	Trade	OT	S	M	T	W	T	F	S	Tot. Hours.	Pay Rate	Gross Earn
Sex	Race	Street, City, State, Zip Code		ST	Daily Work Hours									
				O										
				S										
				O										
				S										
				O										
				S										
				O										
				S										
				O										
				S										
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				S										
				O										
				S										
				O										
				S										

Name:

Signature

Date

Title:

TALLY

Worker Hours

Worker Percentage

The willful falsification of any of the above statements may subject the contractor or subcontractor to civil

or criminal prosecution. See section 1001 of Title 10 and section 231 of Title 31 of the U.S. Code.



Date _____

I, _____ , _____
(NAME OF SIGNATORY PARTY) (TITLE)

do hereby state:

(1) That I pay or supervise the payment of the persons employed
by _____

_____ on
the _____ on
(CONTRACTOR OR SUBCONTRACTOR) (BUILDING OR WORK)

_____ ; that during the payroll period commencing on the

day of _____ , 19 _____ , and ending the _____ day of _____ , 19
_____ ,

all persons employed on said project have been paid the full weekly wages earned, that
no rebates have been or will be made either directly or indirectly to or on behalf of said

_____ from the
full _____
(contractor or subcontractor)

weekly wages earned by any person and that no deductions have been made either
directly or indirectly from the full wages earned by any person, other than permissible
deductions as defined in Regulations, Part 3 (CFR Subtitle A), issued by the Secretary of
Labor under the Copeland Act, as amended (48 Stat. 948; 63 Stat. 108; 72 Stat. 967; 76
Stat. 357; 40 U.S.C. 276c), and described below:

(2) That any payrolls otherwise under this contract required to be submitted for the
above period are correct and complete; that the wage rates for laborers and mechanics
contained therein are not less than the applicable wage rates contained in any wage
determination incorporated into the contract; that the classifications set forth therein for
each laborer or mechanic conform with the work he preformed.

(3) That any apprentices employed in the above period are duly registered in a bona
fide apprenticeship program registered with a State apprenticeship agency recognized
by the Bureau of Apprenticeship and Training, United States Department of Labor, or if
no such recognized agency exists in a State, are registered with the Bureau of
Apprenticeship and Training, United States Department of Labor.

(4) That:
(a) WHERE FRINGE BENEFITS ARE I
PROGRAMS

☐ - In addition to the basic h
mech
listed in the above reference
listed in the contract have be
for the benefit of such emp

below.

(b) WHERE FRINGE BENEFITS ARE I

☐ - Each laborer or mechanic li
been paid, as indicated on
sum of the applicable basic
required fringe benefits as l
Section 4(c) below.

(c) EXCEPTIONS

EXCEPTION (CRAFT)

REMARKS

NAME AND TITLE	SIGNATURE
THE WILLFUL FALSIFICATION OF ANY OF THE ABOVE STATEMENTS MAY SUBJECT THE CONTRACTOR OR SUBCONTRACTOR TO CIVIL OR CRIMINAL PROSECUTION, SEE SECTION 1001 OF TITLE 18 AND SECTION 231 OF TITLE 31 OF THE UNITED STATES CODE.	